

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09317

Priority: February 14, 2007

Maximum Diversion Rate: 0.20 CFS

This is to certify, that DAMON ARNETT
PO BOX 464
SAGLE ID 83860

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.13 CFS
IRRIGATION	04/01 to 10/31	0.12 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L1 (SE¼ NE¼) Sec. 21, Twp 56N, Rge 01W, B.M. BONNER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N 01W 21			X	X													
				L1													

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N 01W 21			2.0	2.0													4.0
				L1													

Total Acres: 4

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2012**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Domestic use is for 8 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right does not grant any right-of-way or easement across the land of another.

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7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of June, 2007.


for DAVID R. DUTHILL, JR., Director

Ident. No. 96-9317

RECEIVED

MAY 11 2007

DEPARTMENT OF
WATER RESOURCES

73377

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

FEB 14 2007

IDWR/North

1. Name of Applicant Damon Arnett Phone 208660-3399
Mailing address P.O. Box 464 Sage Id 83860
2. Source of water supply Well (Groundwater) which is a tributary of _____
3. Location of point of diversion is Township S6N Range O1W Sec. 21, in the SE ¼, NE ¼, Govt. Lot 1, B.M., Bonner County;
SE ¼, NE ¼, Govt. Lot 1, B.M., Bonner County;
additional points of diversion if any: Per T.C. With Damon
4. Water will be used for the following purposes:
- | | |
|--|---|
| Amount <u>0.13</u> for <u>DOMESTIC</u> purposes from <u>4/1</u> to <u>12/31</u> (both dates inclusive)
(cfs or acre-feet per annum) | Amount <u>0.12</u> for <u>IRRIGATION</u> purposes from <u>4/13/15</u> to <u>10/31/15</u> (both dates inclusive)
(cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) | Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) | Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) | Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works: _____
a. Describe type and size of devices used to divert water from the source WELL, PUMP + DELIVERY SYSTEM
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet
d. Is ground water with a temperature of greater than 85°F being sought? no
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. Homes 8
e. Other; describe fully. _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Per T.G. with Danner

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
SW	1W	21			0.2	0.2									~~0.2~~				4

Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? APPLICANT / HOME OWNERS

✓ c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: MEMBERS OF THE HOMEOWNERS ASSOCIATION WILL ENTER INTO A WELL AGREEMENT.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X L L Pres.
Signature of Applicant (and title, if applicable)

Received by AS Date 02-14-07 Time 11:00 Preliminary check by AS
 Fee \$ 200 Received by AS # NO 18/33 Date 02-14-07
 Publication prepared by AS Date 3/28/07 Published in BCO Daily Bee # 45413 Date 4/19-24/07
 Publication approved AS Date 4/30/07

96-9317



0.1 0 0.1 0.2 Miles

- Bonner taxlots
- GCDB56N01W GCDB
- Application POD
- Application POU
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp



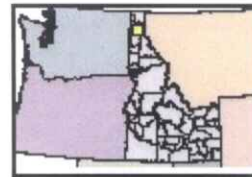


T.56W., R.1W.

The lat/long you provided was 48° 11.163' N; 116° 26.510' W

Here are the results:

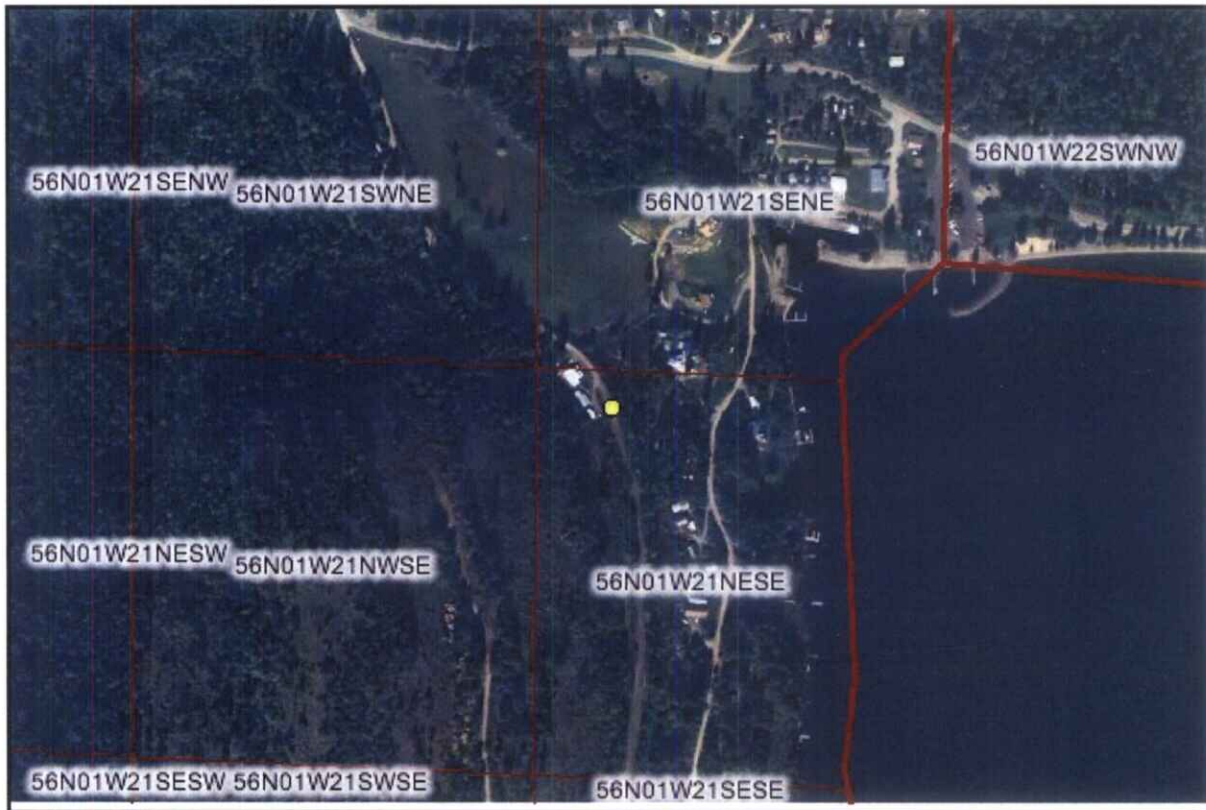
NE quarter of the **SE** quarter of Section **21**, Township **56N**, Range **01W**
IDTM NAD83 coordinates: Easting=2318512; Northing=1890086



Choose the map-display background:

Photo

Topo



Add Layer



Wells



Water Rights



Water Right Permits



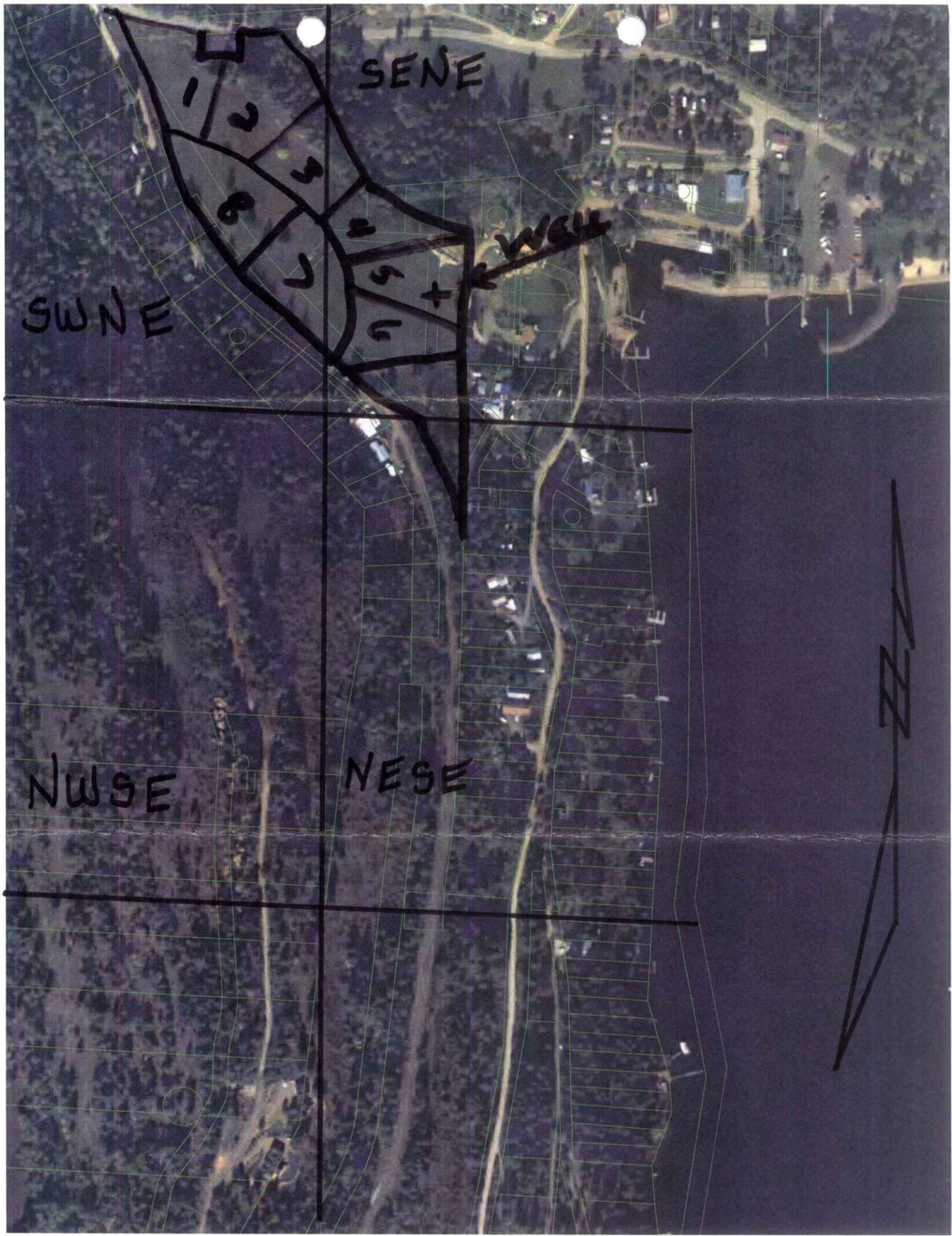
Adjudication Claims

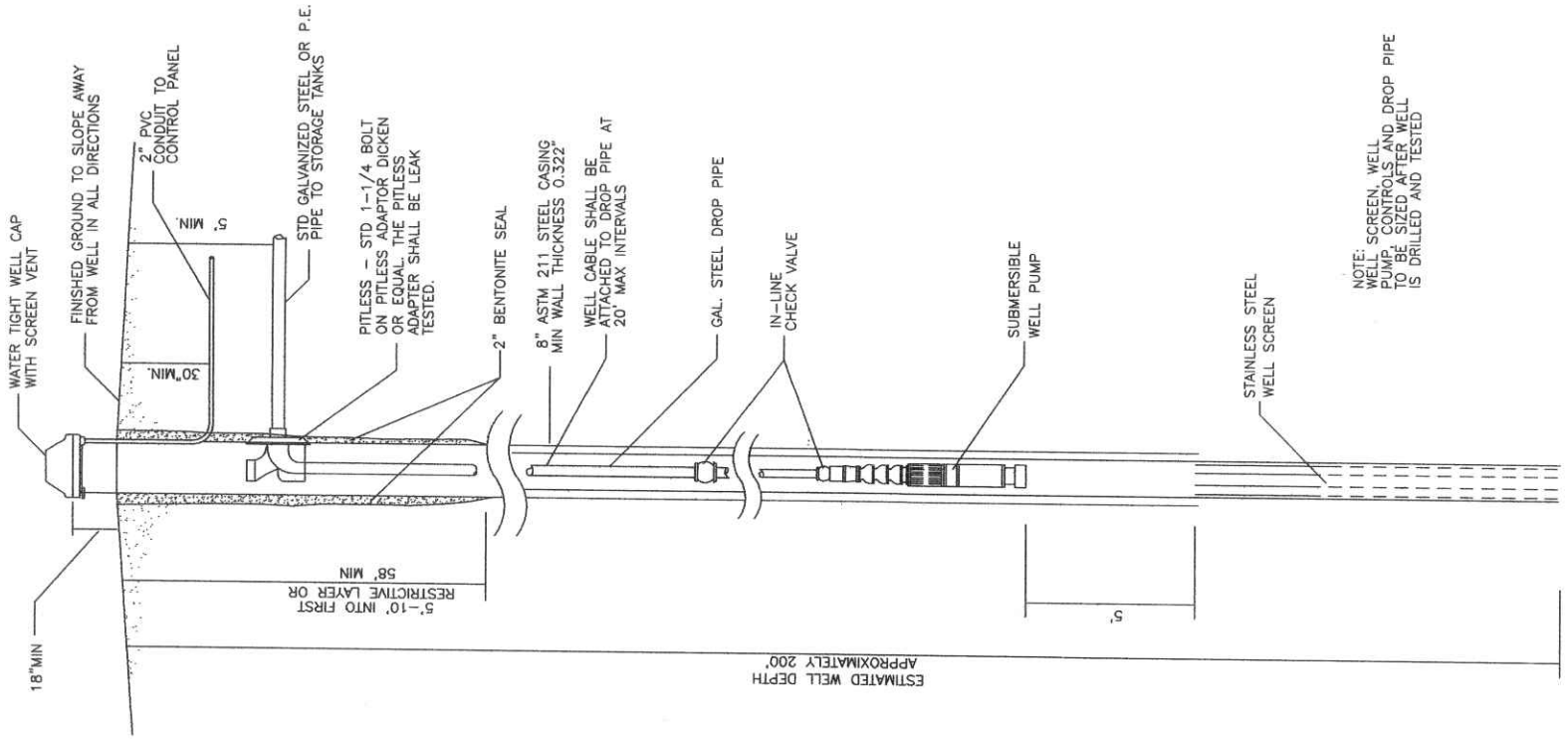


Adjudication Recommendations

* Positions of wells/headgates may be based upon the center of a quarter-quarter section; those obtained by GPS or survey are accurate.

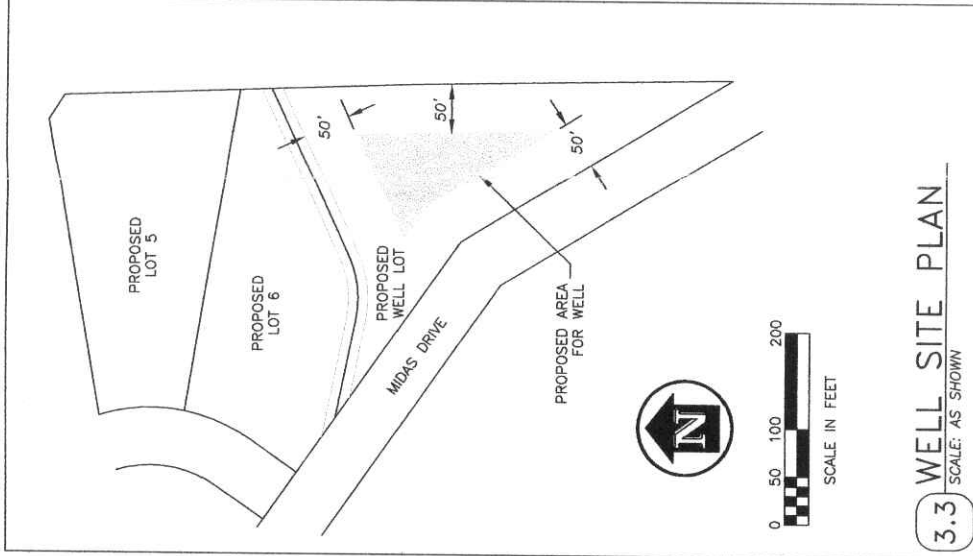
JUL 20 2007



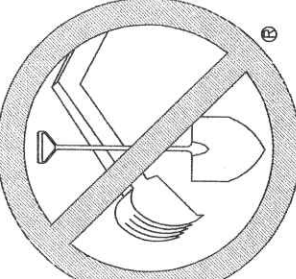


NOTE: WELL SCREEN, WELL PUMP, CONTROLS AND DROP PIPE TO BE SIZED AFTER WELL IS DRILLED AND TESTED

4.1 WELL CONSTRUCTION DETAIL
SCALE: NOT TO SCALE



3.3 WELL SITE PLAN
SCALE: AS SHOWN



**CALL
2 WORKING
DAYS
BEFORE
YOU DIG!**

**TOLL FREE
1-800-626-4950**

Buried Cable
Locating Service

4.3 DIG
SCALE: N/A

WELL CONSTRUCTION— THE IDAHO DEPARTMENT OF WATER RESOURCES MUST BE CONSULTED PRIOR TO WELL CONSTRUCTION. WELL CONSTRUCTION SHALL COMPLY WITH THE APPLICABLE STANDARDS OF THE 1997 EDITION OF THE RECOMMENDED STANDARDS FOR WATER WORKS (RSWW TEN STATES STANDARDS). THE ENGINEER SHALL BE INVOLVED WITH THE DRILLING CONSTRUCTION TO ENSURE PROPER INSTALLATION AND TO PROVIDE AN AS-BUILT RECORD OF THE WELL DRILLING. **THE CONTRACTOR SHALL CONTACT THE ENGINEER AT LEAST 24 HOURS BEFORE DRILLING OPERATIONS BEGIN ALL DOWN HOLE MATERIALS SHALL BE NSF STANDARD 61 APPROVED PER IRPDWS 550.021 AND SHALL BE DISINFECTED WITH 500 PPM CHLORINE SOLUTION PER IDAPA 37.03.09.025.19. TO ENGINEER PER MAIL 37.03.09.025.19. AND TO PROVIDE APPROXIMATE VOLUME OF DRILLING MUD, CUTTINGS, AND LOCATION SHALL BE RECORDED AS ACCORDING TO COMMON ENGINEERING PRACTICES (CEP). THE WELL SHALL HAVE A BENTONITE CLAY SEAL 2 INCHES THICK (RSWW 3.2.5.9) EXTENDING 5-10 FEET INTO THE FIRST RESTRICTIVE LAYER OR AT LEAST 58 FEET DEEP. THE PLACEMENT OF THE SEAL SHALL BE SLOW AND CONTINUOUS CEP. THE VOLUME AND TYPE OF SEAL MATERIAL SHALL BE RECORDED EVERY 5-10 FEET CEP. NO MORE THAN A MINIMUM OF 50% EXCESS SEAL IS PLACED AS PER THE CEP. ALL CONTAMINATED OR TEMPORARY CASING SHALL BE WITHDRAWN AS THE SEAL UNDESIRABLE WATER WILL BE SEALED FROM WELL. THE WELL CASING SHALL BE 8" ASTM A211 CARBON STEEL CASING WITH A MINIMUM WALL THICKNESS OF 0.322 INCHES FOR 8" CASING AS REQUIRED BY RSWW TABLE 1. SIZE OF WELL CASING SHALL BE BASED ON THE ANTICIPATED WELL YIELD. FOR STEEL CASINGS WELDING PROCEDURES AND SPECIFICATIONS SHALL FOLLOW THOSE FOUND IN THE CEP. WELDS SHALL PENETRATE FULL THICKNESS OF THE CASING PER IDAPA 37.03.09.025.02.A. THE TOP OF THE WELL CASING SHALL BE SEALED AGAINST ENTRANCE OF WATER UNDER ALL CONDITIONS OF VIBRATION OR MOVEMENT OF CONDUCTORS OR CABLES. TOP OF WELL CASING SHALL BE AT LEAST 18" ABOVE FINISHED GROUND ELEVATION PER IRPDWS 550.03.1.1. THE WELL CAP SHALL BE TESTED FOR PLUMBNESS AND ALIGNMENT IN ACCORDANCE WITH RSWW 3.2.7.6. THE WELL SHALL BE TESTED FOR FORMATION, GUIDES SHALL BE WELDED TO CASING EVERY 60' FOR UNIFORM PLACEMENT OF GROUT AS PER RSWW 3.2.5.9.E AND CEP. UNTIL GROUT HAS HAD TIME TO SET, WORK OR WELL SHALL BE DISCONTINUED AS PER RSWW 5.5.1.5.D.6. THE COMPLETION OF THE WELL AS-BUILT PLANS WILL BE SUBMITTED TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) UPON COMPLETION OF THE WELL. THE WELL SHALL BE SAMPLED IN ACCORDANCE WITH AWWA A100-80 SECTION 12.2.**

THE WELL SHALL BE TESTED EITHER PER THE STEP DRAWDOWN PRODUCTION TEST OR THE CONSTANT RATE WELL PRODUCTION TEST.

STEP DRAWDOWN WELL PRODUCTION TEST – A STEP DRAWDOWN WELL PRODUCTION TEST SHALL BE PERFORMED TO DETERMINE THE PUMPING CAPACITY OF THE WELL. THE RESULTS FROM THIS TEST ARE TO BE USED TO DETERMINE THE PUMPING RATE FOR USE IN THE REQUIRED SIX-HOUR OR TWENTY-FOUR HOUR CONSTANT RATE WELL PRODUCTION TEST. THE STEP DRAWDOWN TEST SHALL CONSIST OF CONSECUTIVE STEPS. EACH STEP SHALL BE CONDUCTED FOR A MINIMUM OF 60 MINUTES IN DURATION. THE STEP DRAWDOWN TEST SHALL BEGIN AT 25% OF EXPECTED PRODUCTION AND PROCEED TO 75%, 100%, AND FINALLY TO 125%. THE DRAWDOWN SHALL BE RECORDED EVERY ONE (1) MINUTE FOR THE FIRST TEN (10) MINUTES AND THEN EVERY FIVE (5) MINUTES FOR THE REMAINING 50 MINUTES OF THE TIME STEP. THE WELL RECOVERY SHALL BE MEASURED UNTIL THE WELL HAS RECOVERED TO 95% OF THE INITIAL, PRE-PUMPING STATIC WATER LEVEL. RECOVERY SHALL BE MEASURED EVERY ONE (1) MINUTE FOR THE FIRST TEN (10) MINUTES AND THEN EVERY FIVE (5) MINUTES THEREAFTER. THE PUMP SHALL NOT BE REMOVED UNTIL THE RECOVERY MEASUREMENTS HAVE BEEN COMPLETED.

CONSTANT RATE WELL PRODUCTION TEST – THE CONSTANT RATE WELL PRODUCTION TEST SHALL COMPLY WITH THE STANDARDS STATED IN THE IDAHO REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS. AFTER FULL RECOVERY FROM THE STEP DRAWDOWN TEST, THE WELL SHALL BE TEST PUMPED AT 100% OF THE WELL CAPACITY DETERMINED IN THE STEP DRAWDOWN TEST FOR AT LEAST TWENTY-FOUR (24) CONSECUTIVE HOURS AFTER THE DRAWDOWN HAS STABILIZED. ALTERNATIVELY, THE WELL MAY BE PUMPED AT A RATE OF 150% OF THE WELL CAPACITY FOR AT LEAST SIX (6) CONTINUOUS HOURS AFTER THE DRAWDOWN HAS STABILIZED. IN EITHER CASE, IF THE DRAWDOWN DOES NOT STABILIZE, THE PUMPING MUST CONTINUE FOR AT LEAST SEVENTY-TWO (72) CONSECUTIVE HOURS. THE FIELD PUMPING EQUIPMENT MUST BE CAPABLE OF MAINTAINING A CONSTANT RATE OF DISCHARGE DURING THE TEST. DISCHARGE WATER MUST BE PIPED AN ADEQUATE DISTANCE TO PREVENT RECHARGE OF THE WELL DURING THE TEST.

THE SAND CONTENT OF A NEW WELL SHALL NOT BE MORE THAN FIVE (5) PARTS PER MILLION. SAND PRODUCTION SHALL BE MEASURED BY A CENTRIFUGAL SAND SAMPLER OR OTHER MEANS ACCEPTABLE TO THE ENGINEER AND DEQ. IF SAND PRODUCTION EXCEEDS FIVE (5) PPM, THE WELL SHALL BE SCREENED GRAVEL PACKED, AND RE-DEVELOPED.

4.4
SCALE: N/A

WELL CONSTRUCTION SPECIFICATIONS

THE FOLLOWING DATA SHALL BE PROVIDED TO THE ENGINEER FOR SUBMITTAL TO THE DEQ:

- 1) STATIC WATER LEVEL IN THE WELL PRIOR TO TEST PUMPING
- 2) WELL YIELD IN GPM AND DURATION OF THE PUMP TEST, INCLUDING A DISCUSSION OF ANY DISCREPANCY BETWEEN THE DESIRED YIELD AND THE YIELD OBSERVED DURING THE TEST) DEPTH AT WHICH THE TEST PUMP WAS POSITIONED WITHIN THE WELL
- 4) TEST PUMP CAPACITY
- 5) SAND PRODUCTION DATA
- 6) WATER LEVEL IN THE WELL DURING AND AFTER PUMPING, RECORDED AT THE INTERVALS SPECIFIED BELOW:

MINUTES SINCE PUMPING STARTED TIME INTERVAL BETWEEN (OR STOPPED) MEASUREMENTS (MINUTES)	
0-10	1
10-60	5
60-240	30
240-480	60
480-1440	480 (8HR)

DRAWDOWN RECOVERY DATA SHALL BE TAKEN AT THE SAME FREQUENCIES AS DRAWDOWN DATA UNTIL 95% OF THE PRE-PUMPING STATIC WATER LEVEL HAS BEEN ACHIEVED.

DISINFECTION – THE DISINFECTION OF THE WELL, WELL TOOLS, AND WELL CASING SHALL CONFORM TO AWWA C654-03 AND AWWA A100-97.

WELL DEVELOPMENT – THE WELL SHALL BE DEVELOPED TO REMOVE NATIVE SILTS, CLAYS, DRILLING MUD, AND/OR FINER FRACTION OF THE GRAVEL PACK. A TEST PUMP SHALL BE USED TO DEVELOP THE WELL. THE DEVELOPMENT OF THE WELL SHALL CONFORM TO RSWW C.3.1.1. THE PUMP, PITLESS ADAPTER, DROP PIPE, WELL CABLE, AND THE DRILLING CONSTRUCTION IS COMPLETED AND AFTER THE DRILLING CONSTRUCTION IS COMPLETED, THE WELL PRODUCING DEPTH ARE KNOWN AND CHECKED. SCREENS SHALL BE RESISTANT TO DAMAGE BY CHEMICAL ACTION OF GROUNDWATER OR CLEANING OPERATIONS PER RSWW 3.2.5.8.A. CONTRACTOR SHALL PROVIDE SPECIFICATIONS FOR WELL SCREEN TO ENGINEER FOR APPROVAL. SCREEN SHALL BE DESIGNED BASED ON SIEVE ANALYSIS PER IRPDWS 550.03.E.III. THE SCREEN SHALL BE CENTERED IN THE ANNUAL SPACE AS PER CEP. MEASUREMENT OF SAND CONTENT MUST BE LESS THAN 5 PPM PER IRPDWS 550.03.F.II. THE PITLESS ADAPTER SHALL BE NSF APPROVED PER IRPDWS 550.03.M.VI.(1). THE PITLESS ADAPTER SHALL BE FIELD TESTED PER THE MANUAL OF INDIVIDUAL WATER SUPPLY SYSTEMS AS REQUIRED BY IRPDWS 550.30.M.VI(3), EXCEPT FOR WELDED ON UNITS. UPON CONNECTION OF PITLESS ADAPTER, UPPER CASING AND ANNUAL SEAL SHALL BE REPLACED TO ORIGINAL SPECIFICATIONS AS PER THE CEP.

WATER QUALITY – THE WELL SHALL BE TESTED FOR THE FOLLOWING PARAMETERS:

- 1) PHASE 2 AND 5 SOCs, VOCs, & IOCs
- 2) CORROSIVITY (LANGLIER INDEX)
- 3) RADIOCHEMICAL CONTAMINANTS
- 4) NITRATE/NITRITE
- 5) COLIFORM BACTERIA
- 6) LEAD AND MANGANESE

WATER QUALITY TESTING RESULTS SHALL BE SUBMITTED TO THE ENGINEER.

SITE CONTROL –ALL EROSION AND SEDIMENT CONTROL SHALL CONFORM TO THE REQUIREMENTS OF THE "HANDBOOK OF BEST MANAGEMENT PRACTICES FOR STORMWATER MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL". IF CONSTRUCTION WASTEWATER AND STORMWATER DISCHARGED TO SURFACE WATER OR CANALS, PROPER AUTHORIZATION SHALL BE OBTAINED BY THE CONTRACTOR. WATER LEAVING THE SITE SHALL NOT CONTAIN WELL DRILLING CHEMICALS OR SEALANT MATERIAL. WELL CONSTRUCTION WASTE AND/OR DEBRIS, INCLUDING DRILLING FLUID WASTE, SHALL BE DISPOSED OF AT A SANITARY LANDFILL OR OTHER SITE APPROVED BY THE ENGINEER. DUST AND NOISE SHALL BE AT A MINIMUM. HOLES, PITS, EQUIPMENT, AND CHEMICALS SHALL BE SAFELY STORED AND FENCED PER OSHA STANDARDS.

WELL SETBACKS FROM CONTAMINATION SOURCES – ALL WELLS THAT ARE CONSTRUCTED FOR PUBLIC SUPPLY OF DOMESTIC WATER SHALL MEET THE FOLLOWING SETBACK REQUIREMENTS.

SEPTIC TANKS	– 100 FT.
DRAINFIELDS	– 100 FT.
RAINFIELD REPLACEMENT AREAS	– 100 FT.
LSAS DRAINFIELDS	– 100 FT.
SEWER LINE	– 50 FT.

WELLS SHALL ALSO MEET THE REQUIREMENTS SET FORTH BY THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY RULES, IDAPA 58.01.08



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

June 19, 2007

DAMON ARNETT
PO BOX 464
SAGLE ID 83860

RE: Permit No. 96-9317

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

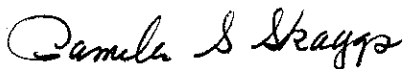
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

for 

Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9317

**DAMON ARNETT
PO BOX 464
SAGLE ID 83860**

A handwritten signature in cursive script, appearing to read "Emalee Rushing", is written over a horizontal line.

**Emalee Rushing
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED
APR 30 2007
DOWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Sherilyn Jones, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Notice of App.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

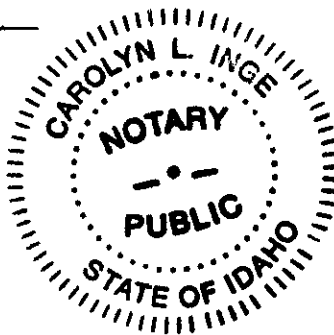
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 19 day of Apr, 2007, and ending on the 26 day of Apr, 2007.

Sherilyn Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 26 day of April, 2007.

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8/12



*See reverse
for legal*

RECEIVED
APR 30 2007
NWR/North

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9317

DAMON ARNETT

PO BOX 464

SAGLE ID 83860

Point(s) of Diversion L1 (SENE) S21 T56N R01W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Use: DOMESTIC 01/01 To 12/31 0.13 CFS

Total Diversion: 0.2 CFS

Date Filed: 02/14/2007

Place Of Use: DOMESTIC

T56N R01W S21 SWNE SENE Lot 1

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 4

Remark: Domestic use is for 8 homes.

96-9321

BRUCE D ALLEN

JULIE M ALLEN

611 VAUGHN RD

YAKIMA WA 98908

Point(s) of Diversion L3 (NWSE) S2 T56N R01E BONNER County

Source PEND OREILLE LAKE - Tributary To PEND OREILLE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 02/02/2007

Place Of Use: DOMESTIC

T56N R01E S2 NWSE Lot 3

Remark: Domestic use is for 1 home

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 05/07/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Legal SNP# 8598

April 19, 26, 2007

See review for Affidavits

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9317

DAMON ARNETT

PO BOX 464

SAGLE ID 83860

Point(s) of Diversion L1 (SENE) S21 T56N R01W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Use: DOMESTIC 01/01 To 12/31 0.13 CFS

Total Diversion: 0.2 CFS

Date Filed: 02/14/2007

Place Of Use: DOMESTIC

T56N R01W S21 SWNE SENE Lot 1

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 4

Remark: Domestic use is for 8 homes.

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Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 02/02/2007

Place Of Use: DOMESTIC

T56N R01E S2 NWSE Lot 3

Remark: Domestic use is for 1 home

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Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 05/07/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Published on April 19 & 26, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Interim Director

*Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne*

April 10, 2007

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9317

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, April 19 and 26, 2007, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 05/07/2007. Your cooperation is, as always, GREATLY appreciated.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, April 10, 2007 3:42 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication April 19 and 26, 2007

Good afternoon, Sheri,

This is the one that didn't get into the paper for the previous dates, 4/5 and 12/2007 - so we are shooting for April 19 and 26, 2007.

Attached is our cover letter and the legal notice. Basically this is exactly the same as before, except all the dates embodied in the old legal notice have moved ahead 2 weeks.

Again, please FAX a proof copy to me, prior to publication, to 208-762-2819.

If you have any questions, please call me at 208-762-2800.

Thanks bunches, and have a super great day.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



CoverLetter
4-10-07 BCDB e-ma.



LegalNotice
4-10-07 BCDB e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 10, 2007

DAMON ARNETT
PO BOX 464
SAGLE ID 83860

RE: Application for Permit No 96-9317

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

The legal notice that was prepared for publication on April 5 and 12, 2007 did not get into the paper as scheduled, due to an error on the part of the parent company for the Bonner County Daily Bee. Therefore, a new legal notice of the application has been prepared and is now scheduled for publication in the Bonner County Daily Bee on April 19 & 26, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9317

DAMON ARNETT

PO BOX 464

SAGLE ID 83860

Point(s) of Diversion L1 (SENE) S21 T56N R01W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Use: DOMESTIC 01/01 To 12/31 0.13 CFS

Total Diversion: 0.2 CFS

Date Filed: 02/14/2007

Place Of Use: DOMESTIC

T56N R01W S21 SWNE SENE Lot 1

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 4

Remark: Domestic use is for 8 homes.

96-9321

BRUCE D ALLEN

JULIE M ALLEN

611 VAUGHN RD

YAKIMA WA 98908

Point(s) of Diversion L3 (NWSE) S2 T56N R01E BONNER County

Source PEND OREILLE LAKE - Tributary To PEND OREILLE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 02/02/2007

Place Of Use: DOMESTIC

T56N R01E S2 NWSE Lot 3

Remark: Domestic use is for 1 home

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 04/23/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Published on April 5 & 12, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Interim Director

*Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne*

March 28, 2007

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9317

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated; April 5 and 12, 2007, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 04/23/2007. Your cooperation is, as always, GREATLY appreciated.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, March 28, 2007 3:48 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on April 5 & 12, 2007

Hi, Sheri,

Attached is our cover letter requesting publication of a legal notice for a couple of water right applications, and the second attachment is the legal notice itself.

Please publish this on April 5 and 12, 2007. If you have any questions, please call me at 762-2800.

Please also fax a proof copy to me before this goes to press - at 762-2819

It's always a pleasure to work with you. You're so good!!!

Thank so much.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



CoverLetter
3-28-07 BCDB e-ma.



LegalNotice
3-28-07 BCDB e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 28, 2007

DAMON ARNETT
PO BOX 464
SAGLE ID 83860

RE: Application for Permit No 96-9317

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Bonner County Daily Bee on April 5 & 12, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

ABCO Northwest, Inc.

P.O. Box 464
Sagle, Idaho 83860
Ph: 208-660-3399

ID# RCE-17595
Email: abconw@verizon.net

3-3-2007

Idaho Dept. of Water Resources
Attn: Keith Franklin

RECEIVED
MAR 05 2007
IDWR/North

Hello Keith,

Enclosed are the aerial photograph modifications that you requested.

If you have any more questions please feel free to call me at 208-660-3399.

Thanks again.



Damon S. Arnett
Pres. ABCO Northwest, Inc

*Dave has a
report on
the well site
on this from
Sawhatch Health*



State of Idaho
DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 23, 2007

Damon Arnett
PO Box 464
Sagle, Idaho 83860

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho.

Dear Mr. Arnett:

The Department of Water Resources (IDWR) is in receipt of your application, but before further processing can take place, additional information will be needed.

On the enclosed aerial photograph, please outline the lots that are intended to be developed, under this application, on the faint green tax lot lines. Also, please mark the proposed location of the well and return the photograph to me as soon as possible. A permanent marker will work the best.

If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure

Idaho Department of Water Resources

Receipt

Receipt ID N018133

Payment Amount \$300.00

Date Received 2/14/2007 10:56:31 AM Region Northern

Status

Payment Type Check

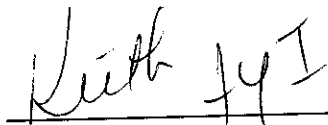
Check Number 1429

Payer HORSLEY DRILLING

Comment WD Permit Fee for Tag D51681 for Damon Arnett
WR Permit App Fee for Damon Arnett

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	65103	1155
\$200.00	DRILLING TAGS	0229	21	65134	1205



Signature Line (Dept. Representative)

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Screen ID 307